IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

Crl.Rev.Pet.No. 754 of 2000()

CRA.168/1996 of SESSIONS COURT, THALASSERY
CC.622/1993 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II, KANNUR

.....

REVN. PETITIONER: APPELLANT/ACCUSED

KANIYANKANDI SUNDARAN
S/O.KANNAN, KOZHIPARAMBATH HOUSE
P.O.NARATH, KANNUR DISTRICT.

BY ADV. SRI.S.GOPAKUMARAN NAIR

RESPONDENT: COMPLAINANT/STATE

STATE, REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 12/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRRP754/2000

ORDER ON CRL.M.P.NO.4078/2000 IN CRL.R.P.NO.754/2000

DISMISSED

12.6.2007 SD/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

CRL.R.P.No.754 of 2000

Dated this the 12th day of June, 2007

O R D E R

The revision petitioner stands convicted for the offence under Sections 279, 337, 304(A) IPC and sentenced, as modified by the appellate court, to undergo R.I. for one year for the offence under Section 304(A) IPC and R.I. three months each for the offences under Sections 279 and 337 IPC.

2. Counsel for the revision petitioner has only sought for modification of the sentence pointing out that the incident has taken place in the year of January 1993. About 15 years have elapsed since the commencement of the proceedings and the accused is facing criminal proceedings so long. In the circumstances, the conviction is confirmed. Sentence for the offence under Section 304(A) IPC is modified to imprisonment till the rising of the court and to pay a compensation of Rs.25,000/- to the legal representatives of the deceased Narayana Menon and in default, to undergo simple imprisonment for three months. No separate sentence is awarded for the offences under Sections 279 and 337 IPC.

Revision petitioner is granted three months' time to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate Court-II, Kannur on 12.9.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl